

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 31-37 are pending in this application. Claims 31 and 37, which are independent, are hereby amended. Support for the amendment is provided in the Specification, specifically pages 16-17.. No new matter has been introduced by this amendment. Claims 1-30 are hereby canceled without prejudice or disclaimer of subject matter. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants is entitled.

### **II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 31 and 34-37 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 5,461,420 to Yonemitsu et al. (hereinafter, merely “Yonemitsu”) in view of U.S. Patent No. 5,517,250 to Hoogenboom et al. (hereinafter, merely “Hoogenboom”).

Claims 32 and 33 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yonemitsu in view of Hoogenboom and further in view of U.S. Patent No. 5,612,900 to Azadegan et al. (hereinafter, merely “Azadegan”).

### III. RESPONSE TO REJECTIONS

Claim 31 recites, *inter alia*:

“An encoding system for encoding input video data, comprising:

...encoding means for encoding the converted video data to generate an elementary stream and describing, in said elementary stream, picture order information about a picture order of said elementary stream; said encoding means generating said picture order information based on the fields counted in said counting means; said picture order information including a presentation time stamp count and a decoding time stamp count;

a packetizer for packetizing said elementary stream and generating time stamp information about said elementary stream based on said picture order information described in said elementary stream;

extracting means for extracting ancillary data from vertical blanking interval the input data and line number of the ancillary data; and

supply means for supplying the extracted ancillary data to a controller thereby supplying unique information pertaining to V-phase and H-phase positioning.” (emphasis added)

As understood by Applicants, Yonemitsu relates to an apparatus for coding and decoding a digital video signal with a field rate of 60 Hz derived from a motion picture film source with a frame rate of 24 Hz.

As understood by Applicants, Hoogenboom relates to a video decompression processor, and more particularly to an efficient scheme for acquiring desired data, such as video data to be decoded, from a packetized data stream.

As understood by Applicants, Azadegan relates to video pre-encoders which analyze the bit-rate of the pre-encoded digital video on a frame by frame basis to determine an average bit-rate for each quantization level used in the pre-encoding process.

Applicants submit that Yonemitsu, Hoogenboom and Azadegan, taken alone or in combination, fail to teach or suggest the features of claim 31. Specifically, Applicants submit that there is no teaching or suggestion of an encoding system for encoding input video data, comprising extracting means for extracting ancillary data from vertical blanking interval the input data and line number of the ancillary data; and supply means for supplying the extracted ancillary data to a controller thereby supplying unique information pertaining to V-phase and H-phase positioning, as recited in claim 31.

Therefore, Applicants submit that independent claim 31 is patentable.

For reasons similar to those described above with regard to independent claim 31, independent claim 37 is also believed to be patentable.

Therefore, Applicants submit that independent claims 31 and 37 are patentable.

#### **IV. DEPENDENT CLAIMS**

The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

**CONCLUSION**

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the references, providing the basis for a contrary view.

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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully requests early passage to issue of the present application.

Respectfully submitted,

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